

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Thomas B. Collier, Jr.

SCDOI Case File No: 07-1278

**Consent Order
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the South Carolina Department of Insurance and Thomas B. Collier, Jr., a licensed South Carolina resident insurance producer holding License #345977.

Upon review of this matter, I hereby find as fact that above named respondent, while licensed to do business as a resident insurance producer within South Carolina, submitted to American General Life and Accident Insurance Company (AIG) an application for insurance coverage on one Rodney Allen, and while advising that Mr. Allen is disabled, the application form presented did not reflect other significant adverse medical conditions. Mr. Collier fully acknowledges his wrongdoing and understands this type of action could ultimately lead to the revocation of his license to transact the business of insurance as a producer within South Carolina, following a public hearing at the Administrative Law Court, pursuant to S.C. Code Ann. Section 38-43-130 (A)(C)(5).

Prior to the initiation of any administrative proceedings by the Department against Thomas Collier, the parties agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that in lieu of the Department seeking to revoke respondent's licensing privileges, Thomas B. Collier, Jr. would waive his right to a public hearing and immediately submit via certified check, a negotiated and consensual administrative penalty in the amount of \$500.00 dollars.

Section 38-43-130 of the South Carolina Code of Administrative Laws grants the Director of Insurance the power to revoke a producer agency's license for violating any of South Carolina's Insurance Laws. More pertinently, § 38-43-130 (A)(C)(5) stipulates the following: (C) "The words 'deceived or dealt unjustly with the citizens of this State' include, but are not limited to, action or inaction by the producer as follows: (5) intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;"

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Thomas B. Collier, Jr. violated S.C. Code Ann. Section 38-43-130(A)(C)(5). As a result, I can now take administrative disciplinary action against his resident insurance producer's license.

Therefore, under the discretionary authority provided to me by the General Assembly within SC Code Ann. § 38-2-10(Supp. 2007), and carefully considering the recommendation of the parties, I hereby impose against Thomas B. Collier, Jr. an administrative penalty in the amount of \$500.00 dollars. If that penalty is not paid within ten days from the time of receipt of this Order, all of his licensing privileges shall be immediately revoked without any further disciplinary proceedings.

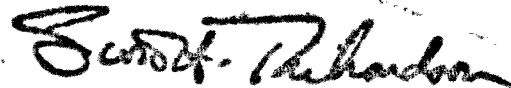
This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in consideration of respondents' assurances that in the future he will exercise more caution, in order to fully comply with the Insurance Laws of South Carolina.

Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, pursuant to S.C. Code Ann. § 38-3-110(4) (Supp.2007) to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Thomas B. Collier, Jr. shall, within ten days of the date from the date of this Order, pay through the South Carolina Department of Insurance an administrative penalty in the amount of \$500.00 dollars.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in respondent's licensing file.

This order becomes effective as of the date of my signature below.

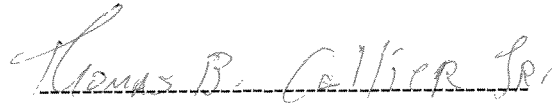


Scott H. Richardson
Director of Insurance

Sep 2
August , 2008, at Columbia, SC

I CONSENT:


Signature


Printed Name

Title

Address:

2318 HY 29 N.
ANDERSON, S.C. 29621

Dated this 27 day of August, 2008.